



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Michelle Austin  
Planner, Current Planning

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** August 15, 2022  
**REPORT DATE:** August 2, 2022  
**FILE:** 3360-40 (LUC00023)/3090-20 (DVP00577)

**SUBJECT:** **LAND USE CONTRACT DISCHARGE AND DEVELOPMENT VARIANCE PERMIT APPLICATIONS FOR 9233 KOKANEE ROAD**

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## PURPOSE:

To present for Council's consideration Land Use Contract Discharge and Development Variance Permit applications for the property located at 9233 Kokanee Road for construction of a single detached house and a detached secondary suite.

## RECOMMENDATION:

THAT Council support Land Use Contract Discharge 00023 (LUC00023) to discharge Land Use Contract Registration P2461 from the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road) as outlined in the report titled "Land Use Contract Discharge and Development Variance Permit Applications for 9233 Kokanee Road" dated August 2, 2022 and respectfully submitted by the Current Planner;

AND FURTHER, that Council direct Administration to prepare a proposed bylaw and public notice of initial readings to discharge Land Use Contract Registration P2461 from the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road);

AND FURTHER, that Council not hold a public hearing on a proposed bylaw to discharge Land Use Contract Registration P2461 from the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road);

AND FURTHER, that Council support Development Variance Permit 00577 (DVP00577) to vary Zoning Bylaw 5000 for LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road) by:

- a) Varying Section 4.16.1, hillside development areas, to allow construction of a single detached house on a slope  $\geq 30\%$ ;
- b) Increasing Section 5.5.5, maximum footprint, from  $90\text{m}^2$  to  $104.1\text{m}^2$  for a secondary suite located in a secondary building;
- c) Increasing Section 5.5.5, maximum net floor area, from  $90\text{m}^2$  to  $180.7\text{m}^2$  for a secondary suite located in a secondary building; and
- d) Increasing Section 5.5.6, maximum height, from 6.0m to 6.6m to the mid-point of the sloped roof for a secondary suite located in a secondary building;

AND FURTHER, that Council's support of DVP00577 is subject to the following:

- a) That the proposed development generally complies with the site plan (Attachment 1) and secondary suite elevations and floor plans (Attachment 2) to be attached to and form part of DVP00577;
- b) That siting and construction of the single detached house comply with the slope analysis and profiles and geotechnical memo (Attachments 5 and 6) to be attached to and form part of DVP00577; and;

- c) That a Section 219 Covenant (Wildfire) complying with FireSmart BC guidelines, in favour of the City of Vernon, be registered on the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road); and
- d) That a Section 219 Covenant, prohibiting the garage from being converted to living space, in favour of the City of Vernon, be registered on the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road).

**ALTERNATIVES & IMPLICATIONS:**

1. THAT Council not support Land Use Contract Discharge 00023 (LUC00023) to discharge Land Use Contract Registration P2461 from the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road) as outlined in the report titled "Land Use Contract Discharge and Development Variance Permit Applications for 9233 Kokanee Road" dated August 2, 2022 and respectfully submitted by the Current Planner;

AND FURTHER, that Council not support Development Variance Permit 00577 (DVP00577) to vary Zoning Bylaw 5000 for LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road) to:

- a) Increase Section 5.5.5, maximum footprint, from 90m<sup>2</sup> to 104.1m<sup>2</sup> for a secondary suite located in a secondary building;
- b) Increase Section 5.5.5, maximum net floor area, from 90m<sup>2</sup> to 180.7m<sup>2</sup>; and
- c) Increase Section 5.5.6, maximum height, from 6.0m to 6.6m to the mid-point of the sloped roof for a secondary suite located in a secondary building;

AND FURTHER, that Council support Development Variance Permit 00577 (DVP00577) for LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road) to vary Zoning Bylaw 5000, Section 4.16.1, hillside development areas, to allow construction of a single detached house on a slope ≥30%;

AND FURTHER, that Council's support of DVP00577 is subject to the following:

- a) That siting and construction of the single detached house complies with the slope analysis and profiles and geotechnical memo (Attachments 5 and 6) to be attached to and form part of DVP00577; and
- b) That a Section 219 Covenant (Wildfire) complying with FireSmart BC guidelines, in favour of the City of Vernon, be registered on the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road).

*Note: This alternative does not support the request to discharge the Land Use Contract (LUC), thereby prohibiting the construction of a secondary suite at this time. If this alternative is supported, the owners could build a single detached house, without a secondary suite. The property would continue to be governed by the LUC until it is terminated by the Local Government Act (LGA) on June 30, 2024. At that time, the underlying Estate Lot Residential (R1) zone would apply to the property and the owner could construct a detached secondary suite.*

**ANALYSIS:**

**A. Committee Recommendations:**

At its meeting of July 19, 2022, the Advisory Planning Committee passed the following resolution:

*“THAT Council support Land Use Contract Discharge 00023 (LUC00023) to discharge Land Use Contract Registration P2461 from the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road) as outlined in the report titled “Land Use Contract Discharge and Development Variance Permit Applications for 9233 Kokanee Road” dated July 12, 2022 and respectfully submitted by the Current Planner;*

*AND FURTHER, that Council direct Administration to prepare a proposed bylaw and public notice of first reading to discharge Land Use Contract Registration P2461 from the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road);*

*AND FURTHER, that Council not hold a public hearing on a proposed bylaw to discharge Land Use Contract Registration P2461 from the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road);*

*AND FURTHER, that Council approve Development Variance Permit 00577 (DVP00577) to vary Zoning Bylaw 5000 for LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road) by:*

- a) Varying Section 4.16.1, hillside development areas, to allow construction of a single detached house on a slope  $\geq 30\%$ ;*
- b) Increasing Section 5.5.5, maximum footprint, from 90m<sup>2</sup> to 104.1m<sup>2</sup> for a secondary suite located in a secondary building;*
- c) Increasing Section 5.5.5, maximum net floor area, from 90m<sup>2</sup> to 180.7m<sup>2</sup> for a secondary suite located in a secondary building; and*
- d) Increasing Section 5.5.6, maximum height, from 6.0m to 6.6m to the mid-point of the sloped roof for a secondary suite located in a secondary building;*

*AND FURTHER, that Council’s approval of DVP00577 is subject to the following:*

- i. That the proposed development generally complies with the site plan (Attachment 1) and secondary suite elevations and floor plans (Attachment 2) to be attached to and form part of DVP00577;*
- ii. That siting of the single detached house complies with the slope analysis and profiles (Attachment 5) to be attached to and form part of DVP00577;*
- iii. That a Section 219 Covenant (Wildfire) complying with FireSmart BC guidelines, in favour of the City of Vernon, be registered on the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road); and*
- iv. That a Section 219 Covenant, prohibiting the garage from being converted to living space, in favour of the City of Vernon, be registered on the title of LOT 9 SEC 11 TP 13 ODYD PLAN 31060 (9233 Kokanee Road).”*

## B. Rationale:

1. The subject property is a 0.46 ha/1.1 ac, vacant lot located at 9233 Kokanee Road (Figures 1 and 2). It is located in Sunset Properties, an established rural subdivision created by a Land Use Contract (LUC) in the 1970s.

2. The subject property is currently undeveloped. Development plans include a single detached house and a detached secondary suite (Attachments 1 and 2). The intent of these applications is to request that Council:

- discharge LUC Registration #P2461 (Attachment 3) from the title of the property, allowing the underlying Estate Lot Residential (R1) zone (Attachment 4) to regulate its use and development;
- allow construction of a single detached house on a slope  $\geq 30\%$  (Attachments 5 and 6); and
- support the following variance requests for the construction of a detached secondary suite (Attachment 7), to increase maximum:
  - footprint from 90m<sup>2</sup> to 104.1m<sup>2</sup>;
  - net floor area from 90m<sup>2</sup> to 180.7m<sup>2</sup>; and
  - height from 6.0m to 6.6m to the mid-point of the sloped roof.

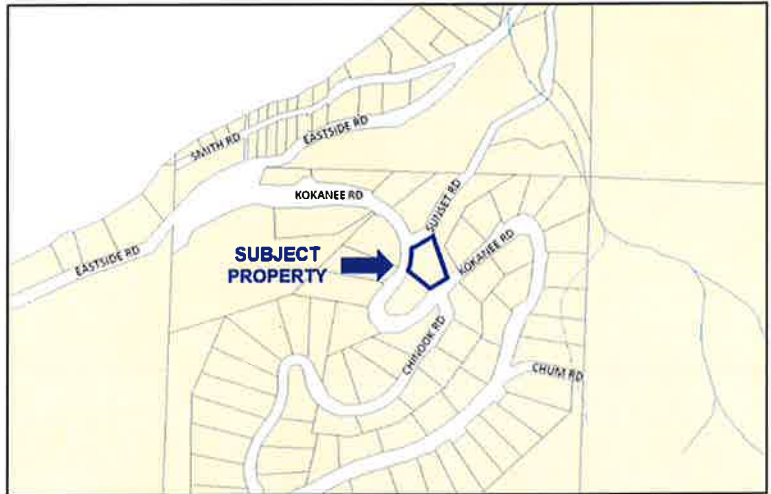


Figure 1: Location Map



Figure 2: Aerial

3. As per Section 547 (1) of the *Local Government Act (LGA)*, all land use contracts will be terminated on June 30, 2024. Administration has been working with applicants to amend (i.e. modify, vary or discharge) LUCs as property owners come forward for redevelopment or improvements, such as the subject application.

4. Section 546 of the *LGA* outlines the process to be followed for discharging an LUC. Section 546 (2) (a) allows an LUC to be amended (which includes being discharged from the title of a property), by bylaw, with agreement from the local government and the owner. If the amendment affects the use or density of the parcel, then the rules around Public Hearings apply as if it were a zoning amendment. The amendment must also be registered in the Land Title Office.

5. Under the LUC regulatory scheme, one single detached house is allowed and secondary suites are prohibited. The R1 zone allows secondary suites within either single detached housing or in a secondary building. Upon expiration of the LUC in two years (on June 30, 2024), a detached secondary suite could be constructed under the underlying R1 zoning and other provisions of Zoning Bylaw 5000 (Attachment 7).

6. The building site would be at the top of the property for the single detached house and at the bottom for the detached secondary suite. Both units would be accessed by a shared driveway from the lower section of Kokanee Road.

7. Figure 3 shows slope ranges throughout the property. Most of the house would be built on <30% slopes. For the portion of the house on ≥30% slope, the steepest calculated slope is 32.8% (Attachment 5). With the exception of a small knoll and a manmade bank from a pre-existing road, the detached secondary suite would be constructed on a ~20% slope. A Preliminary Geotechnical Memo has been provided with construction recommendations for foundation preparation and design and drainage. (Attachment 6).

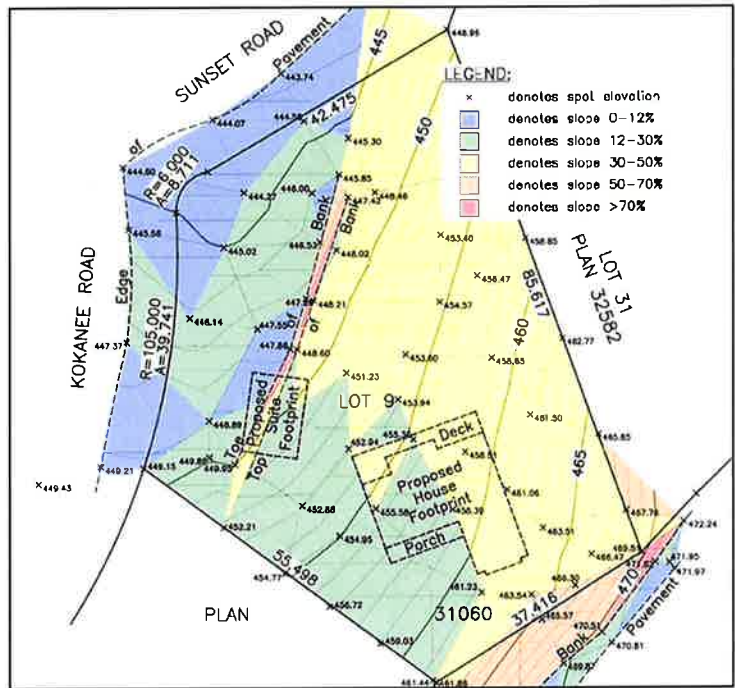


Figure 3: Slope Analysis

8. The requested variances to the detached secondary suite, to increase maximum footprint from 90m<sup>2</sup> to 104.1m<sup>2</sup>; net floor area from 90m<sup>2</sup> to 180.7m<sup>2</sup>; and height from 6.0m to 6.6m to the mid-point of the sloped roof, are explained below:

- a) Maximum footprint and height – given that the lot is large and forested and not within view corridors, a slightly larger footprint (by 14.1m<sup>2</sup> / 152ft<sup>2</sup>) and height (by 0.6m / 2ft) is expected to have minimal to no impact on neighbours or neighbourhood character. As most lots within the area have secondary buildings resembling the proposed, it blends in well with the neighbourhood.
- b) Maximum floor area – the intent of the new (June 14, 2021) secondary suite regulations is to allow a total net floor area of 90m<sup>2</sup> for a detached secondary suite and to ensure that a second storey is never larger than a first storey (the total floor area of 90m<sup>2</sup> includes carports, garages and basements). This can be accomplished with a single storey or two storey building with or without a carport or garage. If an owner wishes to construct a carport, basement or garage as the first storey, it means that the liveable area must be reduced such that the total floor area for the carport, basement or garage plus the liveable space (i.e. actual suite) is not more than 90m<sup>2</sup>. The regulations may have been written in anticipation of owners illegally converting garage space to living space at a later date. A covenant could be registered on title prohibiting this as an extra layer of assurance.
- c) The garage floor area is 104.1m<sup>2</sup> and the suite floor area is 76.6m<sup>2</sup> for a total floor area of 180.7m<sup>2</sup>. It is practical to incorporate a garage into this building containing the secondary suite, particularly because the site is more level on this lower portion of the lot as opposed to the upper. Driveway access to Kokanee Road is also from the lower portion of the property. Further, the lot is large and forested; the secondary suite location is not within any view corridors; and the design is consistent with the development of other lots in the neighbourhood.

9. Administration supports discharging the LUC and DVP applications for the following reasons:

- a) The LGA terminates all LUCs in the province on June 30, 2024. Zoning for the property will default to the R1 zone, which the proposed uses comply with.

- b) Legal non-conforming issues may be avoided by proactively discharging the LUC from the subject property and allowing the R1 zoning to apply, rather than waiting for it to be automatically terminated in two years. The property is currently undeveloped.
- c) Many development-related bylaws have no force and effect on properties with LUCs registered on title. Discharging an LUC from the title restores the applicability of such bylaws to the property and its development.
- d) The R1 zone allows a second dwelling unit in the form of a secondary suite. Allowing two households (versus one household under the LUC) to live within the same land area helps to provide housing options, increases affordability and makes more efficient use of land and services.
- e) The variance requests to increase maximum footprint, net floor area and height are expected to have little to no impact on neighbours or neighbourhood character.

**C. Attachments:**

Attachment 1 – Site Plan  
Attachment 2 – Secondary Suite Elevations and Floor Plans  
Attachment 3 – LUC Bylaw 291, 1978 – Schedule A  
Attachment 4 – R1 Zoning Regulations  
Attachment 5 – Slope Analysis and Profiles  
Attachment 6 – Preliminary Geotechnical Memo  
Attachment 7 – Secondary Suite Regulations

**D. Council's Strategic Plan 2019 – 2022 Goals/Action Items:**

The subject applications involve the following goals/action items in Council's Strategic Plan 2019 – 2022:

- N/A

**E. Relevant Policy/Bylaws/Resolutions:**

1. Official Community Plan Bylaw 5470:

- OCP Designation – Residential Low Density (RLD).
- Development District – 3 Hillside Residential and Agriculture.
- Environmental Management Area (EMA) – Low and Medium conservation values. The subject property was subdivided in 1980 and no further subdivision is proposed therefore the development is exempt from the EMA development permit requirement.
- >10% of the property has slopes  $\geq 12\%$ . Construction of single detached housing and secondary buildings are exempt from the hillside development permit requirement.
- Fire Interface Area – 3 (High). The development may be exempt from the wildfire development permit requirement if it can demonstrate compliance with FireSmart BC guidelines and the Community Wildfire Protection Plan.
- Agricultural Land Reserve (ALR) – N/A.
- Adopted Neighbourhood Plan Area – N/A.

2. Zoning Bylaw 5000:

- Sec. 9.2 R1: Estate Lot Residential.
- Sec. 4.16.1 No construction on  $\geq 30\%$  slopes.
- Sec. 5.5 Secondary Suites.

3. Local Government Act:

- Division 3 – Public Hearings on Planning and Land Use Bylaws.
- Sec. 464 – Requirement for public hearing before adopting bylaw.  
*A local government is not required to hold a public hearing on a proposed rezoning bylaw if an OCP is in effect for the area that is the subject of the zoning bylaw, and the bylaw is consistent with the OCP.*
- Sec. 466 – Notice of first reading of bylaw.
- Sec. 467 – Notice if public hearing not held.
- Sec. 468 – Posting notices respecting proposed bylaws.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

Prepared by:

Approved for submission to Council:

X



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Michelle Austin  
Planner, Current Planning

  
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Will Pearce, CAO

Date: 09. AUGUST. 2022.

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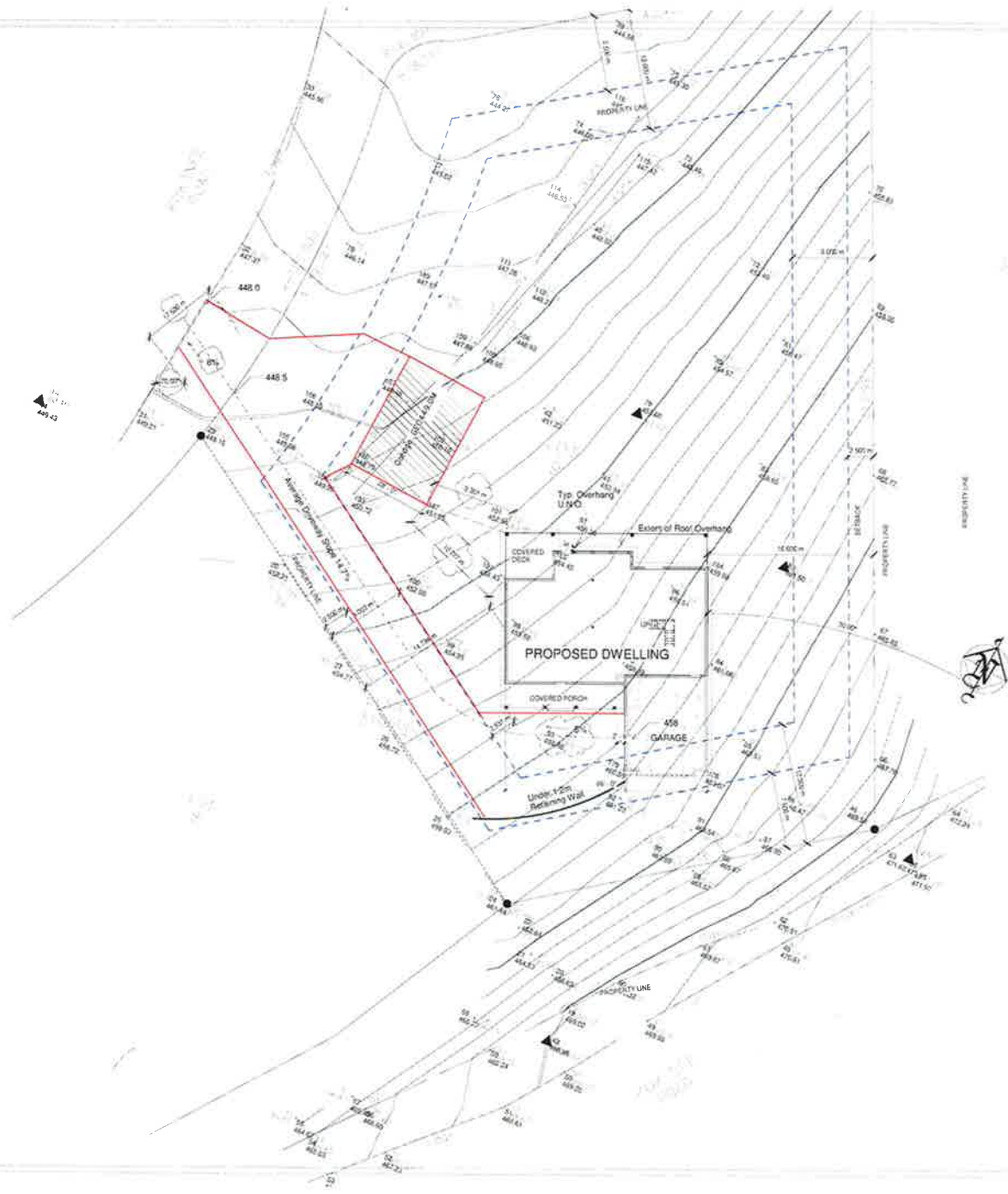


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Kim Flick  
Director, Community Infrastructure and Development

**REVIEWED WITH**

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| <input type="checkbox"/> Bylaw Compliance                         | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability |
| <input type="checkbox"/> Real Estate                              | <input type="checkbox"/> Facilities           | <input checked="" type="checkbox"/> Building & Licensing      |
| <input type="checkbox"/> RCMP                                     | <input type="checkbox"/> Utilities            | <input type="checkbox"/> Engineering Development Services     |
| <input checked="" type="checkbox"/> Fire & Rescue Services        | <input type="checkbox"/> Recreation Services  | <input type="checkbox"/> Infrastructure Management            |
| <input type="checkbox"/> Human Resources                          | <input type="checkbox"/> Parks                | <input checked="" type="checkbox"/> Transportation            |
| <input type="checkbox"/> Financial Services                       |   | <input type="checkbox"/> Economic Development & Tourism       |
| <input checked="" type="checkbox"/> COMMITTEE: APC (July 19/2022) |   |   |
| <input type="checkbox"/> OTHER:                                   |   |   |



Gordley  
9233 Kokanee Rd

LOT COVERAGE  
SITE: 49,461.6SF  
HOUSE FOOTPRINT: 3,345SF (6.76%)

SETBACKS:  
FRONT: 7.5M  
SIDES: 2.5M  
REAR: 7.5M

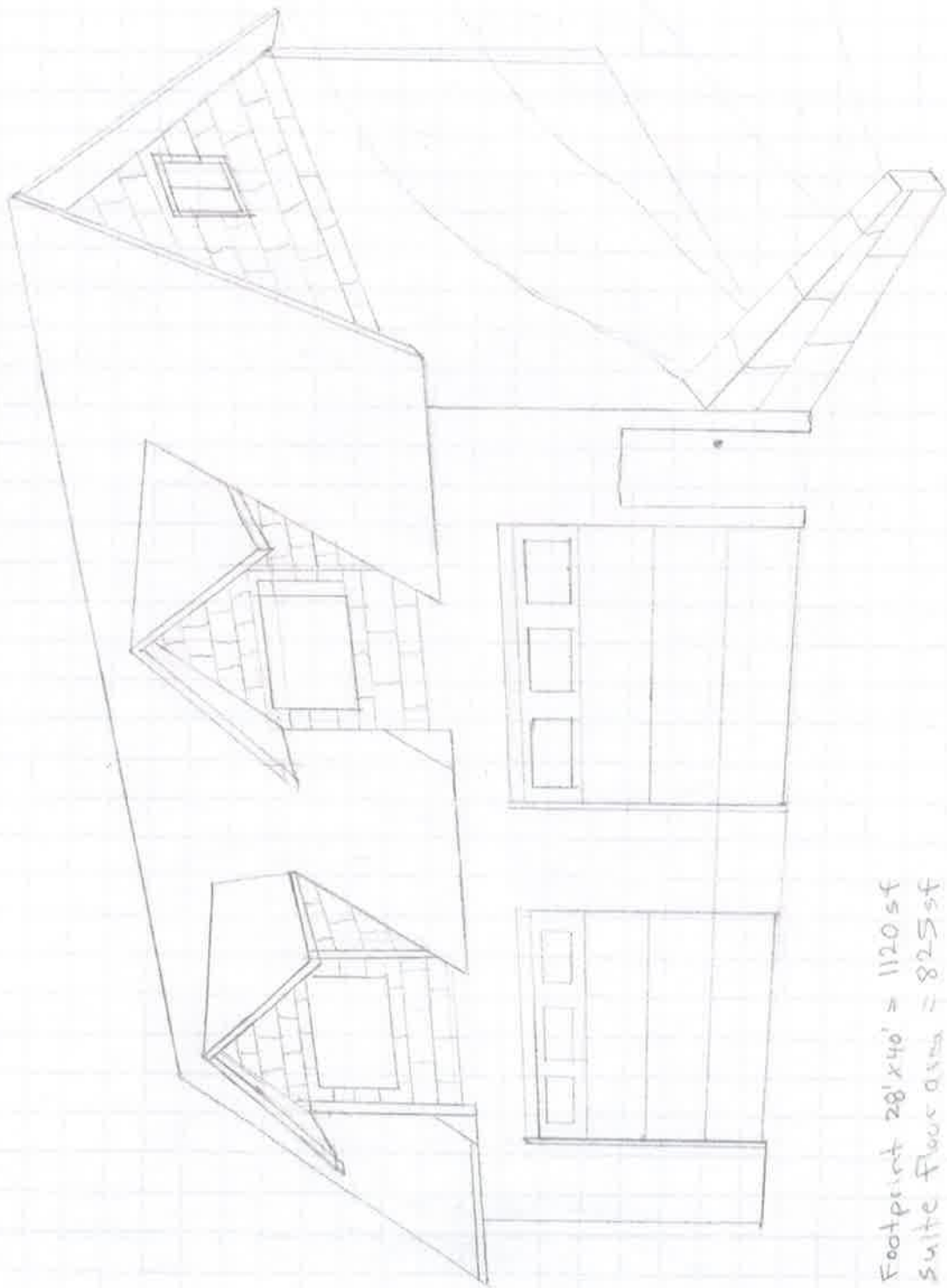
ZONING: R1-ESTATE LOT RESIDENTIAL

Site

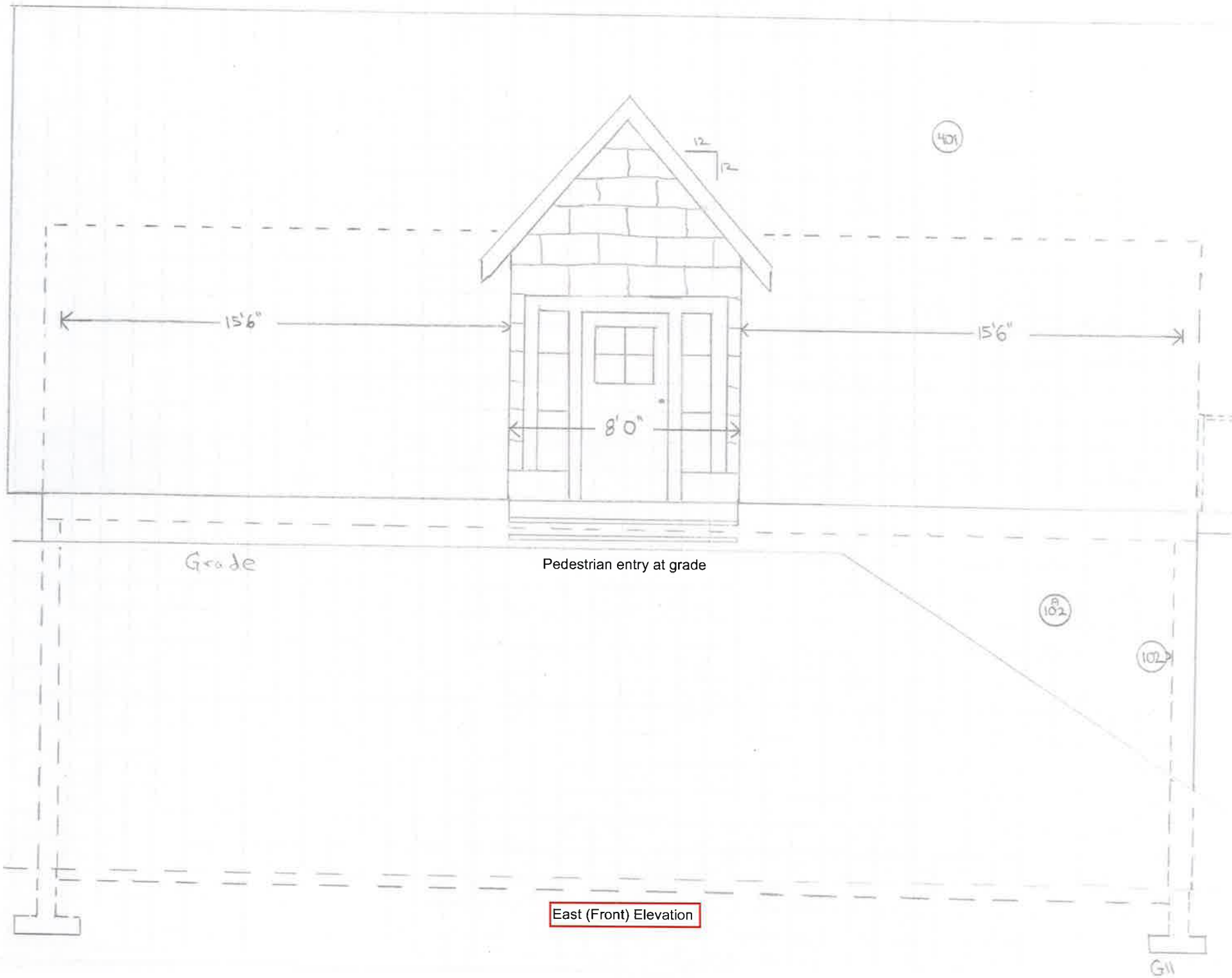
Date  
Drawn by  
Project No.  
Scale

A1





Footprint 28'x40' = 1120 sf  
Suite Floor area = 825 sf



401

102

102

East (Front) Elevation

Grade

Pedestrian entry at grade

15'6"

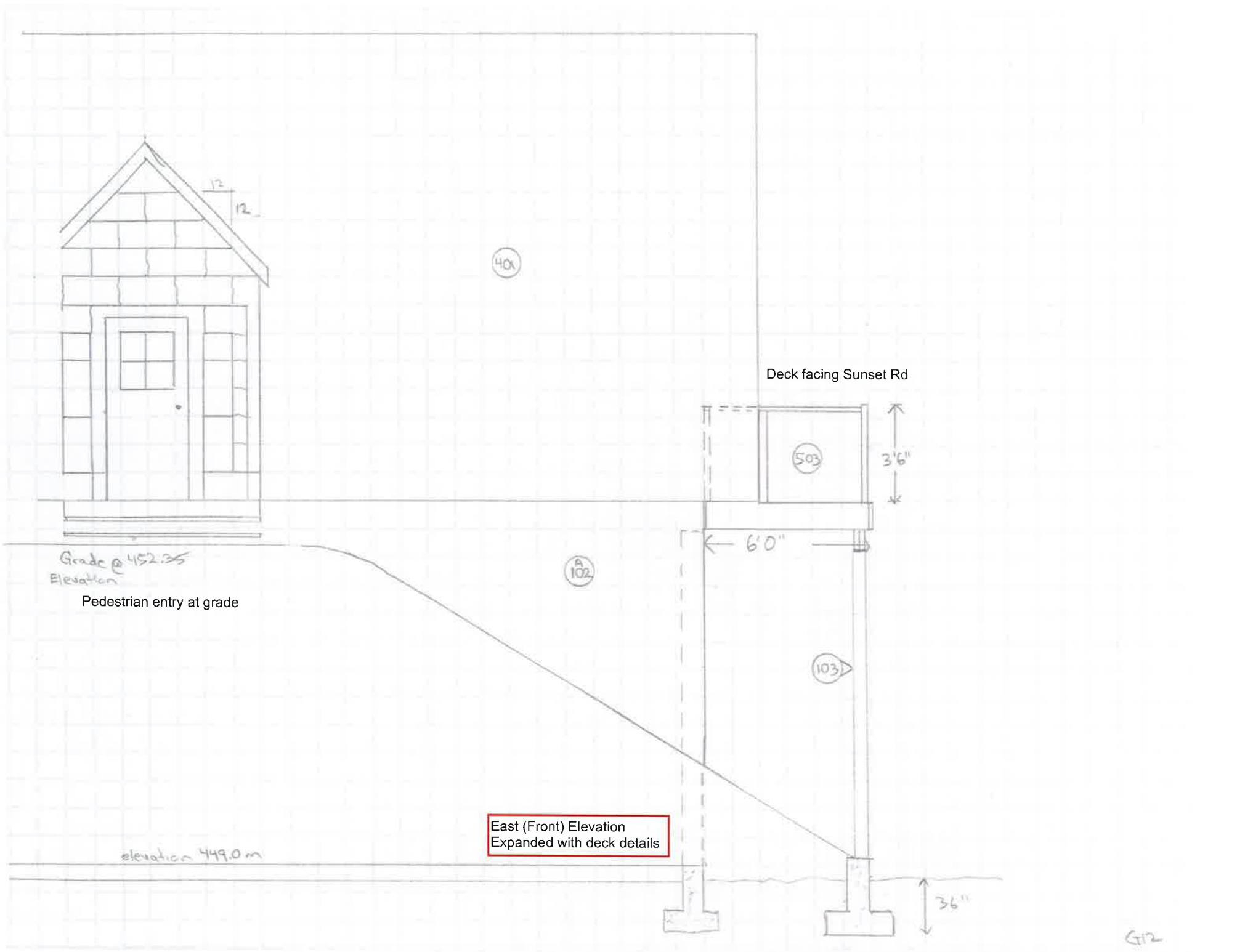
15'6"

8'0"

12

12

G11



40x

Deck facing Sunset Rd

503

3'6"

6'0"

102

103

Grade @ 452.35  
Elevation

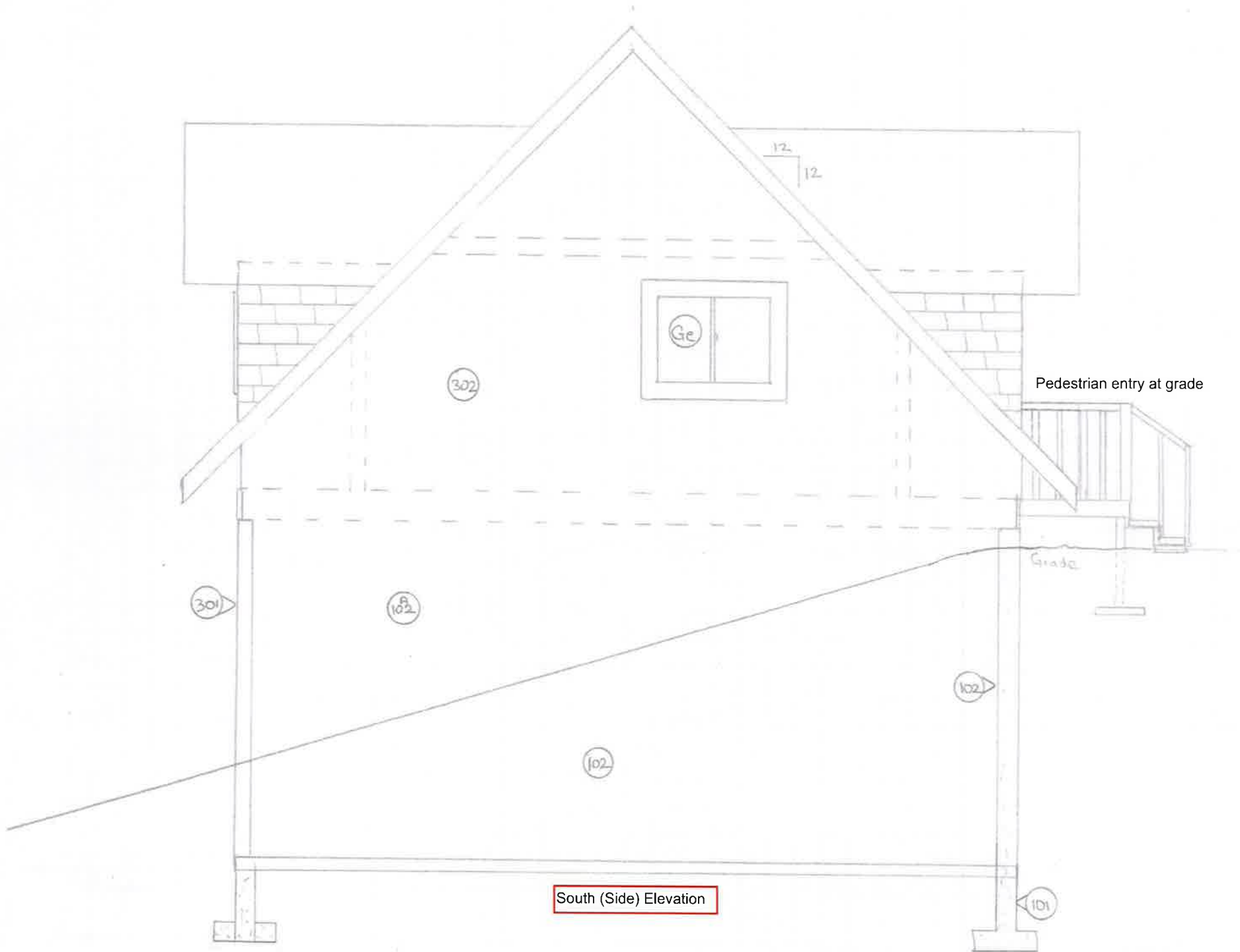
Pedestrian entry at grade

East (Front) Elevation  
Expanded with deck details

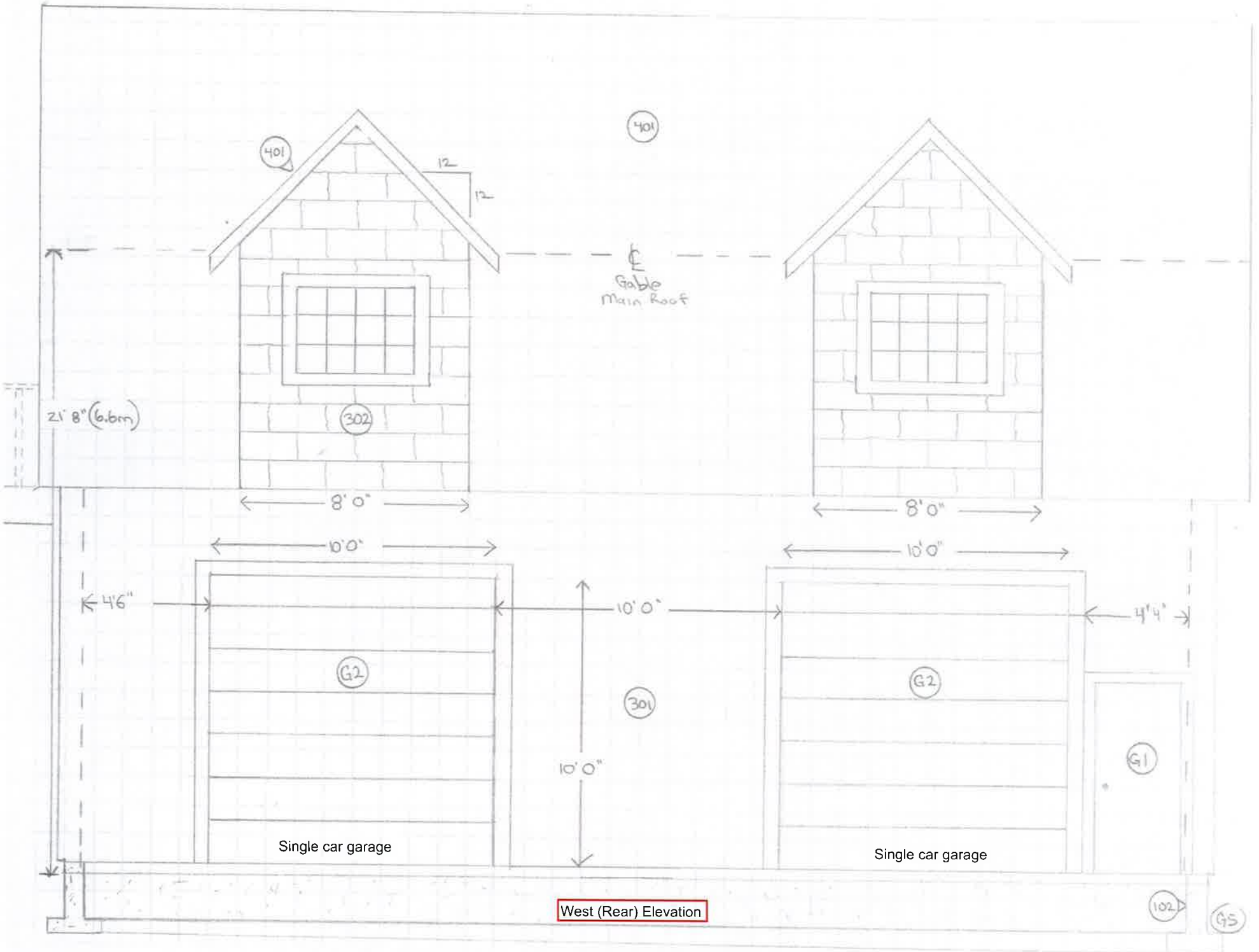
elevation 449.0m

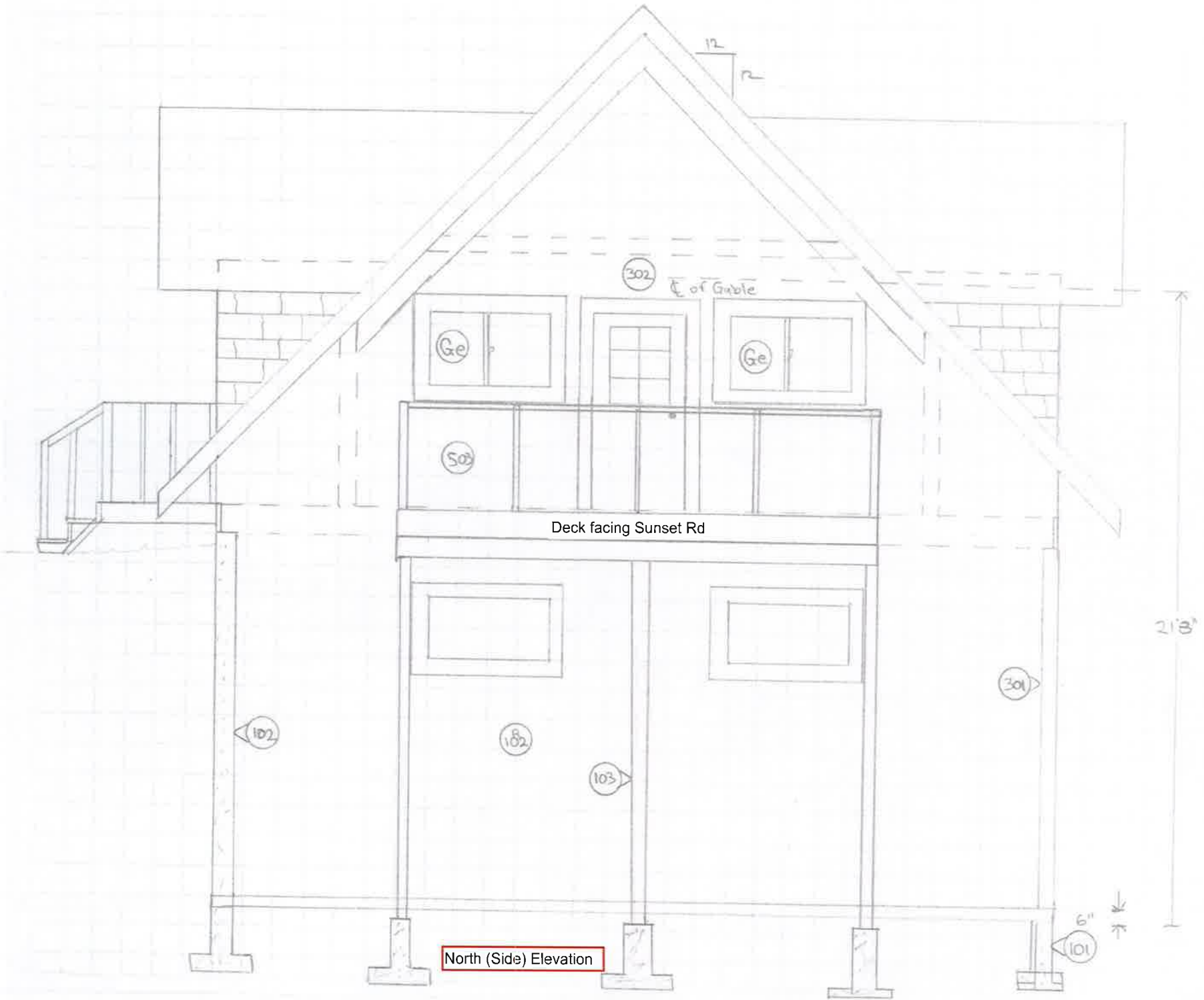
36"

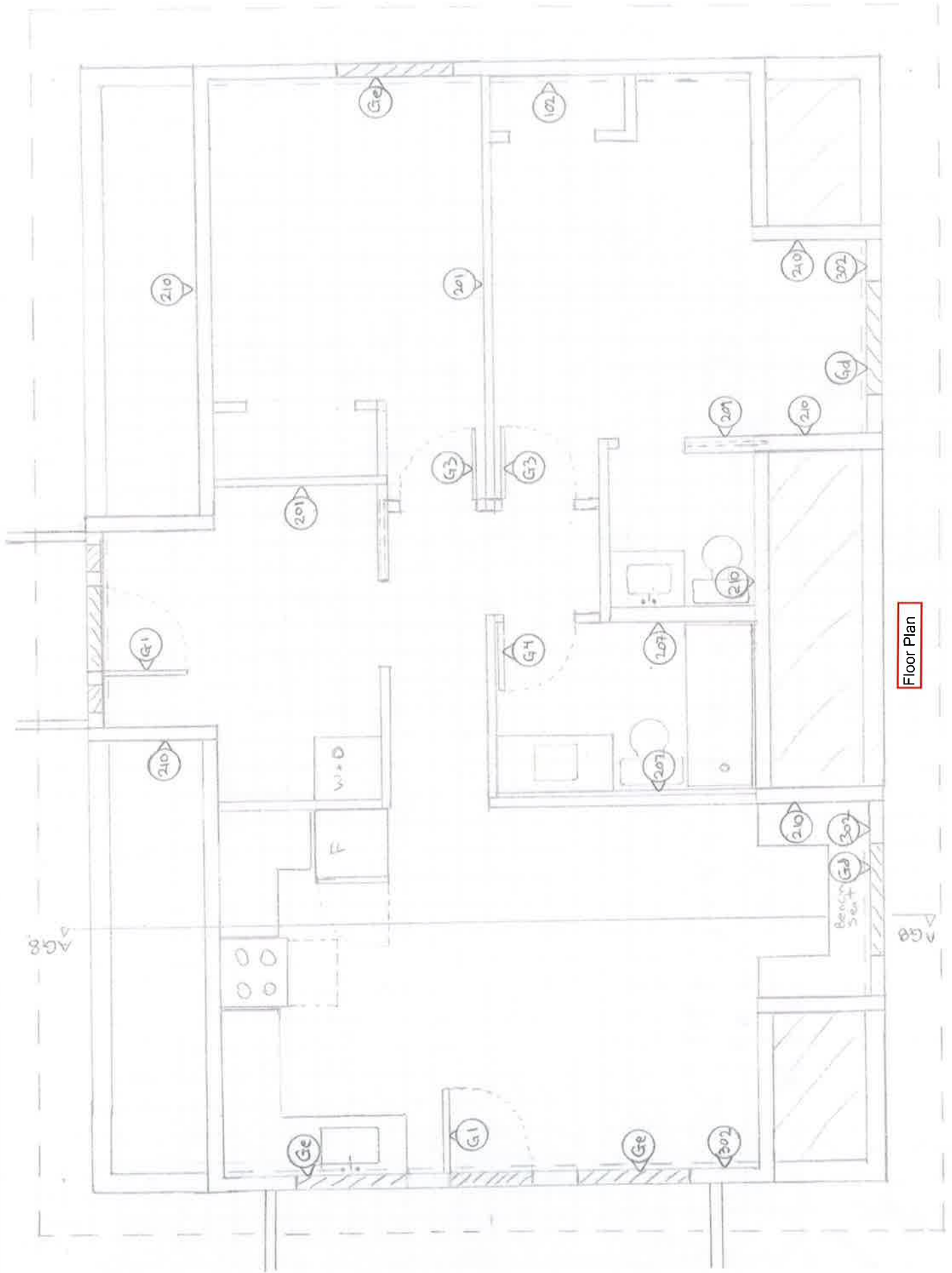
G12



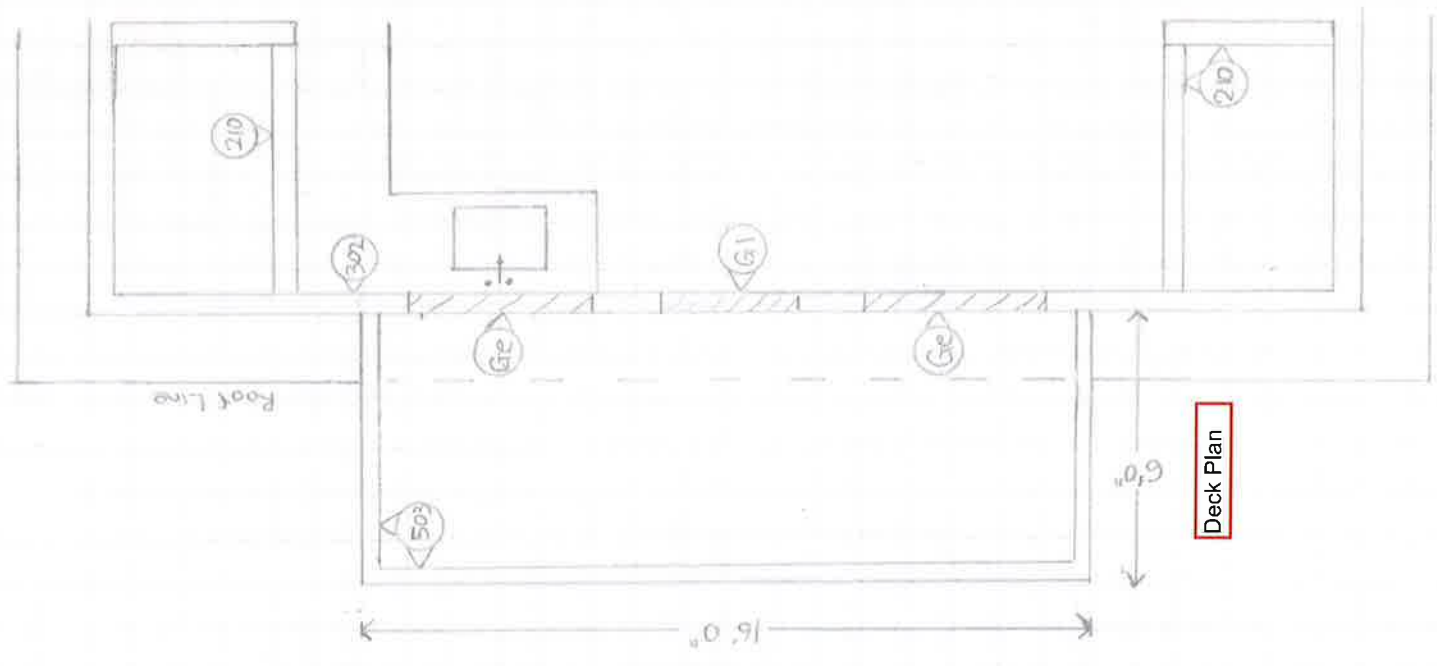
South (Side) Elevation







Floor Plan





**SCHEDULE "A"**

To Land Use Contract No.: 14 - 76

**Subdivision**

1. No lot or parcel in the lands created by the subdivision referred to in paragraph 2.2 and Schedule "B" (hereinafter called the "Lot") shall be subdivided or partitioned into two or more Lots or any Lots or any Lots consolidated into one or more Lots.

**Permitted uses**

2. The following uses, as defined by the by-laws of the District and no others shall be permitted;

- (a) Single family dwelling;
- (b) Accessory residential;
- (c) Restricted agricultural.

**Buildings per Lot**

3. The number of buildings allowed per Lot for each of the above mentioned permitted uses shall be not more than:

- (a) One (1) single family dwelling;
- (b) Two (2) accessory residential buildings;
- (c) Two (2) restricted agricultural buildings.

**Floor Area**

4. The floor areas shall be as follows:

- (a) The floor area for a single family dwelling shall be not less than  $60 \text{ m}^2$  (645.6 square feet).
- (b) The floor area for an accessory residential building shall not be greater than  $55 \text{ m}^2$  (591.8 square feet) with no horizontal dimension exceeding 9 m (29.53 feet);

**Height of Buildings and Structures**

5. The height of buildings and structures shall not exceed:

- (a) 5 m (16.40 feet) for accessory residential use;
- (b) 8 m (26.25 feet) for residential use;
- (c) 10 m (32.81 feet) for restricted agricultural use.

**Lot Coverage**

6. Lot coverage shall be not greater than thirty percent (30%) of the Lot area.

**Off-Street Parking**

7. Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of By-law 801 of the By-laws of the District and the number of parking spaces required to be provided on a Lot or Lots, shall be determined by the use or uses being carried on on such Lot or Lots from time to time.

**Setbacks**

8. (Subject to the special building line setback provisions of Section 407 of the By-laws of the District)

(a) **Front Yard:**

A front yard free of all buildings and structures shall be provided with a depth of not less than:

(i) 12 m (39.37 feet) for single family dwellings, and accessory residential use;

(ii) 15 m (49.21 feet) for restricted agricultural use;

(iii) 30 m (98.43 feet) for restricted agricultural use involving buildings used for the keeping of animals.

(b) **Other Buildings:**

Buildings shall not be sited within 3 m (9.843 feet) of any other building, except that buildings for restricted agricultural use involving the keeping of animals shall not be sited within 30 m (98.43 feet) of any residential dwelling not sited on the same Lot.

(c) Rear Yard:

A rear yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet), except that rear yards free of all buildings and structures used for keeping of animals shall be provided with a depth of not less than 30 m (98.43 feet) where the use abuts a Residential Zone.

(d) Side Yards:

Side yards free of all buildings and structures shall be provided with a width of not less than 8 m (26.25 feet), except that side yards free of buildings and structures used for keeping animals shall be provided with a width of not less than 30m (98.43 feet) where the use abuts a Residential zone.

Exterior side yards free of buildings and structures shall be provided with a width of not less than:

- (i) 12 m (39.37 feet) for single family dwellings, two family dwellings, mobile homes, and accessory residential use;
- (ii) 15 m (49.21 feet) for restricted agricultural use;
- (iii) 30 m (98.43 feet) for restricted agricultural use involving buildings used for the keeping of animals.

(e) Water Bodies:

Setbacks from water bodies and the natural boundary of any natural watercourse or source of water shall be in accordance with Section 406 of this By-law.

Restricted Agricultural Use

9. A restricted agricultural use shall be restricted to the cultivation of land and the keeping of animals for the personal use of the owner only, provided that this does not create a nuisance by reason of sound, sight, or smell and shall not include feed lots, mushroom growing, boarding and breeding kennels, or the keeping of swine or fur bearing animals.

Tree Cutting

10. No trees now standing on the Lands shall be cut or removed from the Lands unless the person desiring to cut any tree or trees makes written application to the District Planning Director for a tree cutting permit and states therein the following:

- (a) The reason for the proposed tree cutting;
- (b) The number, species and location of the tree or trees to be cut; and,
- (c) A tree survey if a building permit is being applied for.

10.1 The planning Director may, upon receipt of written application for the reasons therein specified pursuant to paragraph 10(a), issue a tree cutting permit. If the reason so stated pursuant to paragraph 10(a) is for a use pursuant to paragraph 2 herein, the Planning Director shall issue a tree cutting permit.

10.2 For purposes of paragraph 10 "Tree" means:

A member of any evergreen or deciduous species which has only a single leader (trunk) arising from the root mass, which will have a diameter at breast height ("DBH") of not less than 7.5 cm, and which is capable of growing to a height exceeding 3.5 m at maturity, and includes species in clump form having more than one leader per root mass.



## 9.2 R1 : Estate Lot Residential

### 9.2.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible uses, on larger urban serviced **lots**. The R1c sub-zoning district allows for **care centre, major** as an additional use. The R1h sub-zoning district allows for **home based business, major** as an additional use. (*Bylaw 5467*)

### 9.2.2 Primary Uses

- **care centre, major** (*use is only permitted with the R1c sub-zoning district*)
- **single detached housing**

### 9.2.3 Secondary Uses

- **boarding rooms**
- **bed and breakfast homes** (in single detached housing only) (*Bylaw 5498*)
- **care centres, minor**
- **group home, minor**
- **home based businesses, minor**
- **home based businesses, major** (*use is only permitted with the R1h sub-zoning district*)
- **secondary suites**
- **seniors supportive housing**

### 9.2.4 Subdivision Regulations

- Minimum **lot width** is 24.0m.
- Minimum **lot area** is 740m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.
- Maximum **density** is 30.0 units per gross hectare (12.0 units/gross acre).

### 9.2.5 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 7.5m.
- Minimum **side yard** is 2.5m, except it is 7.5m from a **flanking street**. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m.
- Minimum **rear yard** is 7.5m, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- The maximum **height** of any vertical wall element facing a **front, flanking** or **rear yard** (including **walkout basements**) is the lesser of 6.5m or 1.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

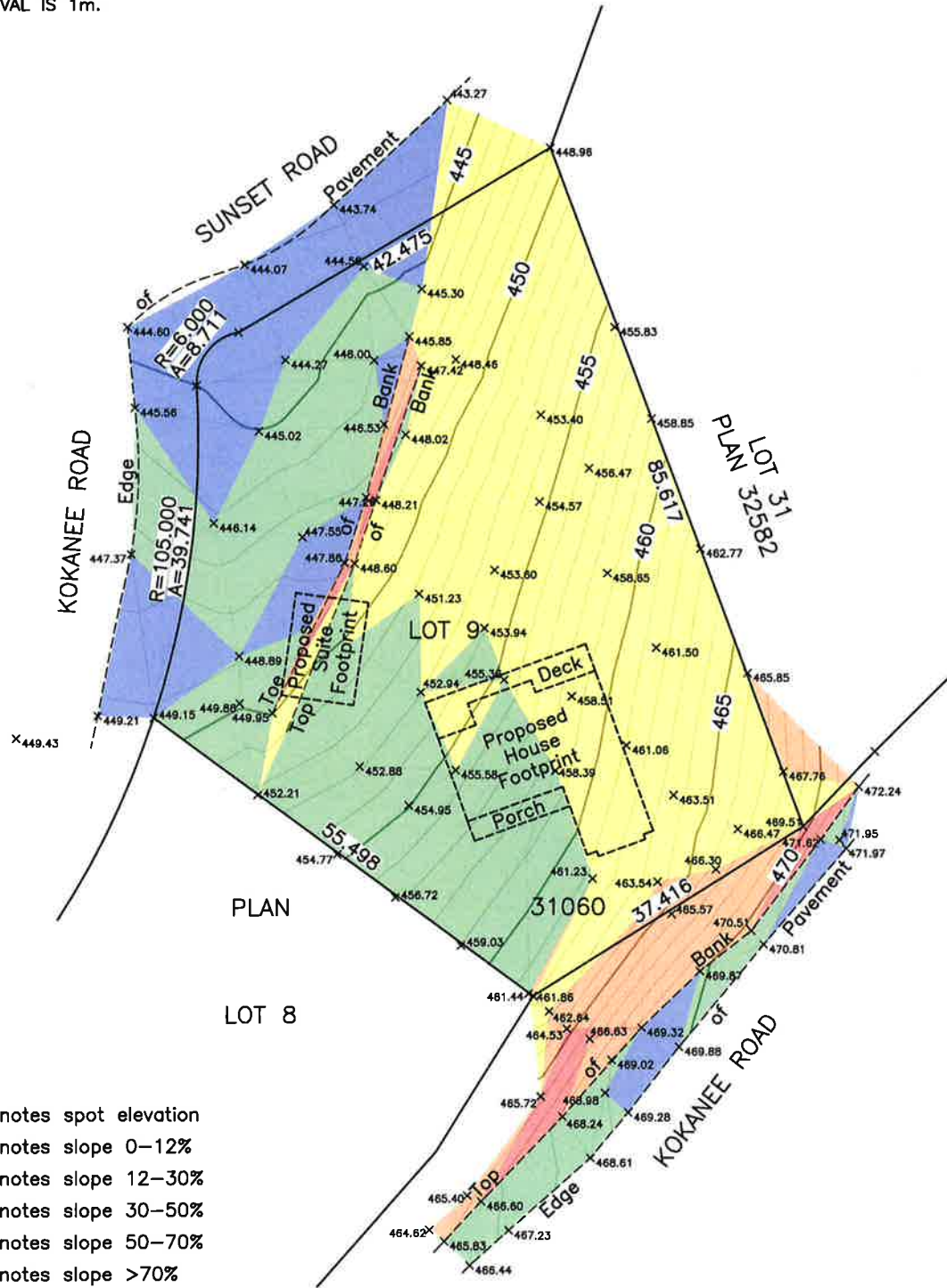
### 9.2.6 Other Regulations

- There shall be no more than one **single detached house** per lot.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.

- For **seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.
- In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 4 (secondary **development**, **yards**, projections into **yards**, lighting, agricultural setbacks, etc.); the specific use regulations of Section 5; the **landscaping** and fencing provisions of Section 6; and, the parking and loading regulations of Section 7.
- **Seniors supportive housing** shall be for no more than four residents. *(Bylaw 5467)*
- As per Section 4.10.2 - All **buildings** and **structures, excluding perimeter fencing (garden walls and fences)** on **lots abutting** City Roads as identified on Schedule "B" shall not be sited closer to the City Road than the setback as per the appropriate zone measured from the offset Rights of Way as illustrated on Schedule "B".  
*(Bylaw 5440)*



ALL DISTANCES ARE IN METRES.  
 ELEVATIONS ARE IN METRES, CGVD28 DATUM.  
 CONTOUR INTERVAL IS 1m.



**LEGEND:**

- x denotes spot elevation
- Blue square denotes slope 0-12%
- Green square denotes slope 12-30%
- Yellow square denotes slope 30-50%
- Orange square denotes slope 50-70%
- Red square denotes slope >70%

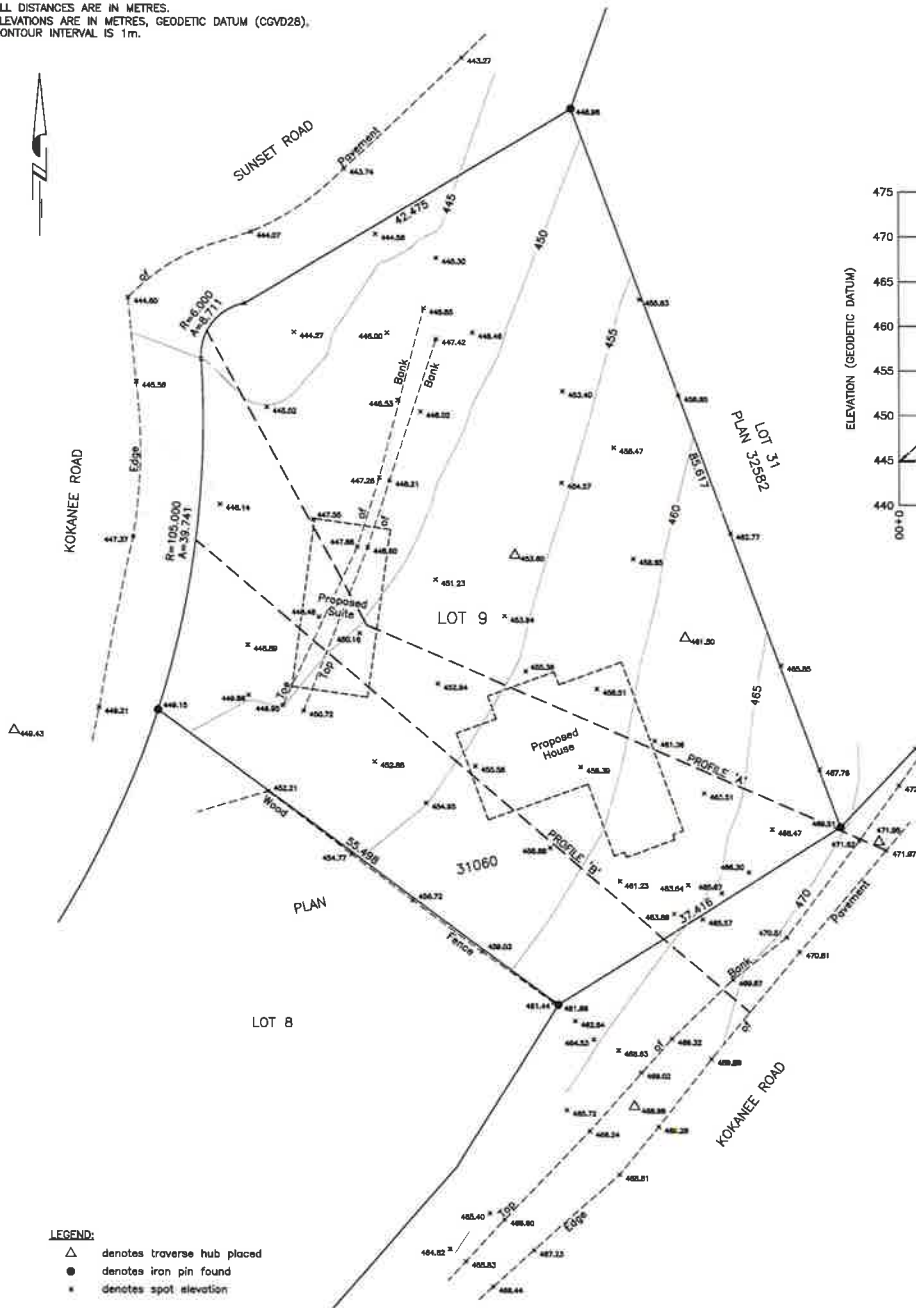


SITE PLAN SHOWING SLOPES ON LOT 9,  
 PLAN 31060, SEC 11, TP 13, ODYD

SCALE: 1 : 750	OUR FILE: R10703
DATE: 25 Mar 2022	DRAWN: KDG
Gordey	
<b>McPherson Maddox</b>	
Land Surveying	
3500 - 30th Street	
Vernon, BC V1T 5E8	
Telephone: (250) 542-4343	

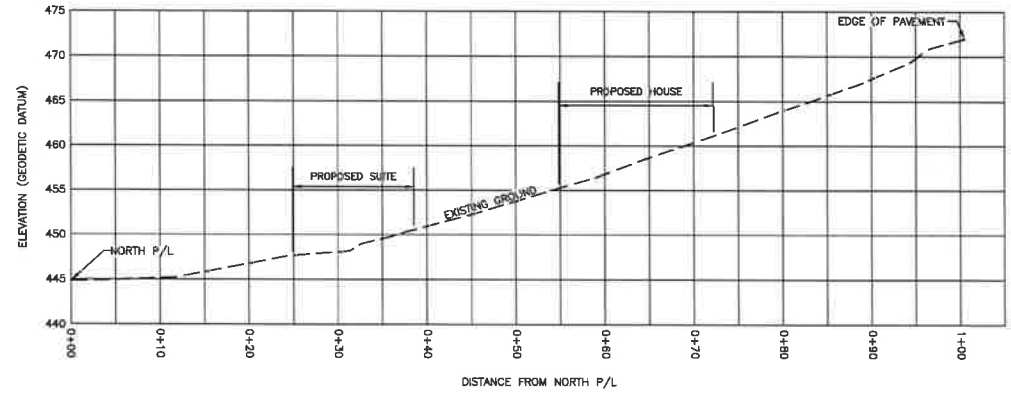
107030T03

ALL DISTANCES ARE IN METRES.  
ELEVATIONS ARE IN METRES, GEODETIC DATUM (CGVD28),  
CONTOUR INTERVAL IS 1m.

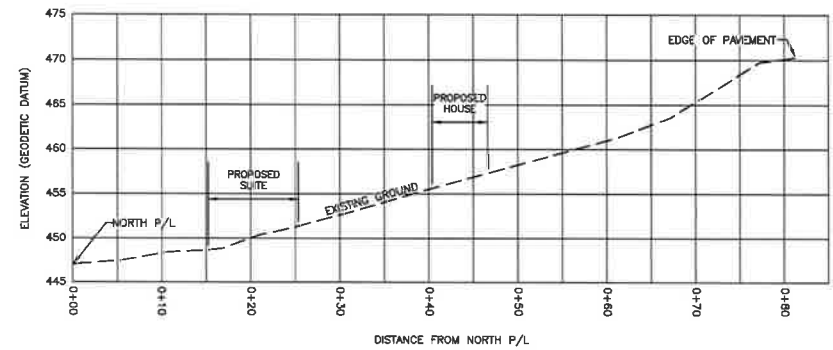


- LEGEND:**
- Δ denotes traverse hub placed
  - denotes iron pin found
  - x denotes spot elevation

PROFILE 'A'



PROFILE 'B'



SCALE: 1 : 400	OUR FILE: R10703
DATE: 29 Mar 2021	DRAWN: KDG
Gordey	

SITE PLAN OF LOT 9, PLAN 31060, SEC 11, TP 13, ODYD  
WITH EXISTING GROUND PROFILES

**McPherson Maddox**  
Land Surveying  
3500 - 30th Street  
Vernon, BC V1T 5E8  
Telephone: (250) 542-4343

1 – 1965 Moss Court  
 Kelowna, BC V1Y 9L3  
 Phone: (250) 860-6540  
 Email: info@interiortesting.com



### GEOTECHNICAL MEMORANDUM

<b>To:</b>	John Gordey	<b>Company:</b>	N / A
<b>Email:</b>	haudlacrima@gmail.com	<b>Date:</b>	July 28, 2022
<b>Job:</b>	20.284	<b>Pages:</b>	7 (including this page)
<b>Re:</b>	Preliminary Geotechnical Comments – Proposed House and Garage 9233 Kokanee Road, Vernon BC		

As requested, Interior Testing Services Ltd (ITSL) provides the following preliminary geotechnical comments and recommendations. Please see attached to this memo a copy of a site plan prepared by McPherson Maddox Land Surveying, dated March 25, 2022, and a typical slope setback scheme.

Our work is governed by the attached, standard two-page “Terms of Engagement”, previously accepted and signed.

ITSL understands that this memo will be used as part of your development application. ITSL acknowledges the City of Vernon as authorized users of this memo, subject to the attached “Terms of Engagement”.

## **1.0 INTRODUCTION**

ITSL understands that you intend to construct a house and garage on the subject property. As part of your building permit application, you requested a Schedule B form from the 2018 BC Building Code (BCBC) be provided by ITSL. As per our letter dated April 8, 2021, ITSL prepared the Schedule B document.

ITSL has been advised that the City of Vernon requires additional geotechnical comments prior to issuance of a building permit. In particular, ITSL understands that comments with respect to subsurface soil conditions, building drainage and slope stability are required.

## **2.0 PRELIMINARY GEOTECHNICAL COMMENTS AND RECOMMENDATIONS**

### **2.1 Foundation Preparation and Slope Setbacks**

ITSL recommends that all topsoils, old fills and any other unsuitable materials be removed from the proposed foundation areas to expose suitable natural soil or bedrock. Further to our letter dated April 8, 2021, ITSL

recommends that we review the subgrade materials after the excavation work has been completed prior to placing concrete foundations or engineered FILL.

Where it is necessary to raise grades above the excavated subgrade elevations, engineered FILL materials can be placed and compacted. ITSL recommends that the engineered FILL material consist of clean sand and gravel (ie, MMCD Pit-Run or similar) that is placed in controlled lifts that are no thicker than 0.3 m. ITSL recommends that we review the proposed FILL material prior to placement. In addition, ITSL recommends that each lift be conditioned to within 2% of the optimum moisture content and compacted to at least 95% of Modified Proctor Density (MPD). ITSL also recommends we carry out field density testing on the engineered FILL on at least every second lift, to confirm that satisfactory compaction is being achieved.

Similar to other residential hillside projects, ITSL recommends that all foundations, including deck pads, be set below and / or behind a 2H:1V line projected up from the toe of the downhill slope (see Drawing 20.284).

## **2.2 Foundation Design**

Where foundations are set on suitable soils (natural or engineered FILL), or competent bedrock, a preliminary allowable bearing pressure, or Service Limit State resistance, of 100 kPa (2000 psf) may be assumed for foundation design purposes, subject to the following considerations.

- a) Bearing surfaces to be clean, dry, free of any topsoil, unsuitable materials, organics or buried structures, and in a well compacted condition.
- b) Minimum footing width to be 400 mm (16 in)
- c) Minimum depth of footing to be 600 mm (24 in) below final adjacent grade, or as per local by-law, for frost protection.

In order to improve the lateral resistance of typical deck post sono-tubes, ITSL also suggests that you consider structurally connecting the deck pads / sono-tubes to the main foundations by use of reinforced grade beams or buttresses, and that this be reviewed with the structural engineer.

## **2.3 Building Drainage**

The BCBC specifies that all foundations are to be drained by a system unless it can be shown to be unnecessary. Where the interior slab on grade is above exterior grades, conventional foundation drainage in our opinion would be unnecessary and could be eliminated if preferred. Where interior slab elevations are below exterior grades, conventional foundation drainage systems will be required and are to be directed to a suitable disposal location.

Preliminarily, foundation drainage could be directed and daylighted downhill to an armoured disposal location where bedrock is shallow and typical rock / drainage pits are not feasible. Where bedrock is deeper and the natural soils are suitable, rock pits could be contemplated for foundation drainage disposal.

ITSL recommends that roof drainage be collected and directed to a suitable disposal location, such as splash pads, rain barrels or similar above ground collection systems.

### 3.0 CONCLUSIONS

---

As requested, ITSL has provided preliminary geotechnical comments for the proposed house and garage.

Further to our letter dated April 8, 2021, ITSL recommends that we carry out field reviews at the time of construction to observe the subgrade materials after excavation, prior to placement of concrete or engineered FILL. Where engineered FILL is placed, ITSL also recommends that we carry out field density testing.

We trust this meets your current needs. As always, please do not hesitate to call if you have any questions.

Regards,  
Interior Testing Services Ltd  
Permit to Practice Number: 1001971

Prepared By:



A circular professional engineer stamp for the Province of British Columbia. The stamp contains the text: "PROFESSIONAL ENGINEER", "PROVINCE OF BRITISH COLUMBIA", "J. BLOCK", "# 30007", and "BRITISH COLUMBIA ENGINEERS". A handwritten signature is written over the stamp, and the date "JUL 28 2022" is stamped in blue ink to the right of the stamp.

Jeremy Block, P Eng  
Senior Geotechnical Engineer

Reviewed By:



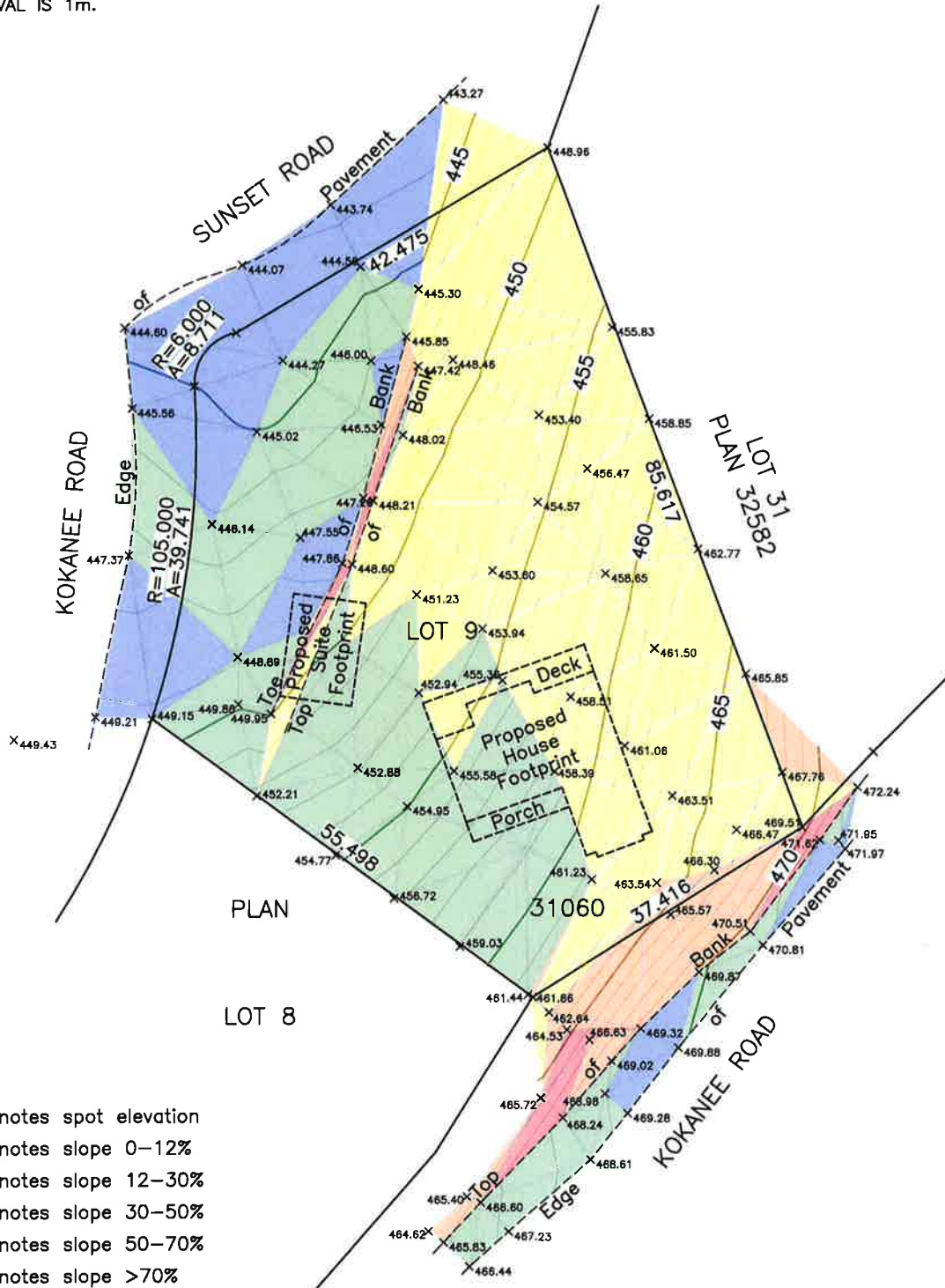
A handwritten signature in blue ink, likely belonging to Peter Hanenburg.

Peter Hanenburg, P Eng  
Principal Geotechnical Engineer

- 1 mail copy to John Gordey

Revision No.	Date	Comments
1.0	July 27, 2022	Draft for client review.
2.0	July 28, 2022	Issued for use.

ALL DISTANCES ARE IN METRES.  
 ELEVATIONS ARE IN METRES, CGVD28 DATUM.  
 CONTOUR INTERVAL IS 1m.



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SITE PLAN SHOWING SLOPES ON LOT 9,  
 PLAN 31060, SEC 11, TP 13, ODYD

SCALE: 1 : 750      OUR FILE: R10703

DATE: 25 Mar 2022      DRAWN: KDG

Gordey

**McPherson Maddox**

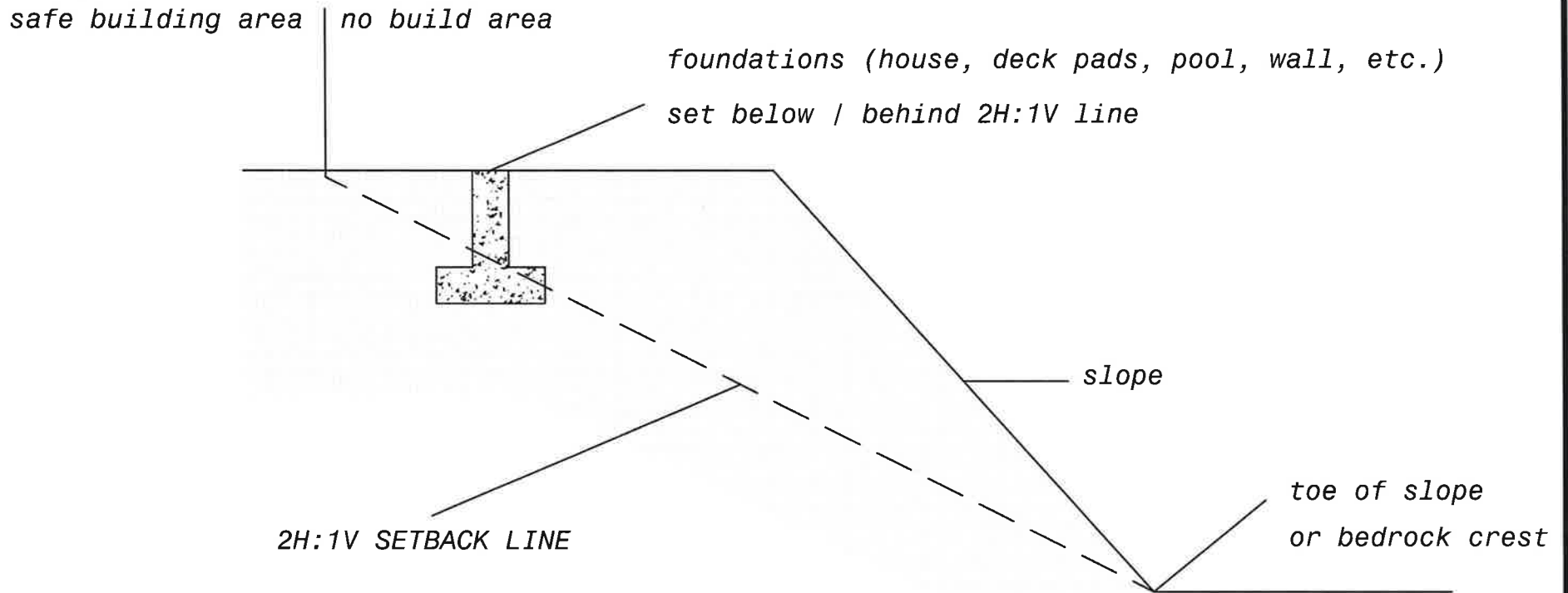
Land Surveying

3500 - 30th Street

Vernon, BC V1T 5E8

Telephone: (250) 542-4343

107030T03



NOTES

1. DRAWING IS NOT TO SCALE.
2. SEE GEOTECHNICAL MEMO DATED JULY 27, 2022 FOR RECOMMENDATIONS AND COMMENTS.

MR JOHN GORDEY	<b>FOUNDATION SETBACK SCHEME</b>	INTERIOR TESTING SERVICES LTD	
PROPOSED HOUSE AND GARAGE 9233 KOKANEE ROAD		1-1965 MOSS COURT, KELOWNA, BC V1Y 9L3 PH:250-860-6540 EM: INFO@INTERIORTESTING.COM	
VERNON, BC		DATE OF INVESTIGATION: N / A	JOB NUMBER: 20.284

## TERMS OF ENGAGEMENT

### GENERAL

Interior Testing Services Ltd. (ITSL) shall render the Services performed for the Client on this Project in accordance with the following Terms of Engagement. ITSL may, at its discretion and at any stage, engage subconsultants to perform all or any part of the Services. Unless specifically agreed in writing, these Terms of Engagement shall constitute the entire Contract between ITSL and the Client.

### COMPENSATION

Charges for the Services rendered will be made in accordance with ITSL's Schedule of Fees and Disbursements in effect from time to time as the Services are rendered. All Charges will be payable in Canadian Dollars. Invoices will be due and payable by the Client within thirty (30) days of the date of the invoice without hold back. Interest on overdue accounts is 12% per annum.

### REPRESENTATIVES

Each party shall designate a representative who is authorized to act on behalf of that party and receive notices under this Agreement.

### TERMINATION

Either party may terminate this engagement without cause upon thirty (30) days' notice in writing. On termination by either party under this paragraph, the Client shall forthwith pay ITSL its Charges for the Services performed, including all expenses and other charges incurred by ITSL for this Project.

If either party breaches this engagement, the non-defaulting party may terminate this engagement after giving seven (7) days' notice to remedy the breach. On termination by ITSL under this paragraph, the Client shall forthwith pay to ITSL its Charges for the Services performed to the date of termination, including all fees and charges for this Project.

### ENVIRONMENTAL

ITSL's field investigation, laboratory testing and engineering recommendations will not address or evaluate pollution of soil or pollution of groundwater. ITSL will co-operate with the Client's environmental consultant during the field work phase of the investigation.

### PROFESSIONAL RESPONSIBILITY

In performing the Services, ITSL will provide and exercise the standard of care, skill and diligence required by customarily accepted professional practices and procedures normally provided in the performance of the Services contemplated in this engagement at the time when and the location in which the Services were performed. ITSL makes no warranty, representation or guarantee, either express or implied as to the professional services rendered under this agreement.

### LIMITATION OF LIABILITY

ITSL shall not be responsible for:

- (a) the failure of a contractor, retained by the Client, to perform the work required in the Project in accordance with the applicable contract documents;
- (b) the design of or defects in equipment supplied or provided by the Client for incorporation into the Project;
- (c) any cross-contamination resulting from subsurface investigations;
- (d) any damage to subsurface structures and utilities;
- (e) any Project decisions made by the Client if the decisions were made without the advice of ITSL or contrary to or inconsistent with ITSL's advice;
- (f) any consequential loss, injury or damages suffered by the Client, including but not limited to loss of use, earnings and business interruption;
- (g) the unauthorized distribution of any confidential document or report prepared by or on behalf of ITSL for the exclusive use of the Client.

The total amount of all claims the Client may have against ITSL under this engagement, including but not limited to claims for negligence, negligent misrepresentation and breach of contract, shall be strictly limited to the lesser of our fees or \$50,000.00.

No claim may be brought against ITSL in contract or tort more than two (2) years after the Services were completed or terminated under this engagement.



**PERSONAL LIABILITY**

For the purposes of the limitation of liability provisions contained in the Agreement of the parties herein, the Client expressly agrees that it has entered into this Agreement with ITSL, both on its own behalf and as agent on behalf of its employees and principals.

The Client expressly agrees that ITSL's employees and principals shall have no personal liability to the Client in respect of a claim, whether in contract, tort and/or any other cause of action in law. Accordingly, the Client expressly agrees that it will bring no proceedings and take no action in any court of law against any of ITSL's employees or principals in their personal capacity.

**THIRD PARTY LIABILITY**

This report was prepared by ITSL for the account of the Client. The material in it reflects the judgement and opinion of ITSL in light of the information available to it at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. ITSL accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report. This report may not be used or relied upon by any other person unless that person is specifically named by us as a beneficiary of the Report. The Client agrees to maintain the confidentiality of the Report and reasonably protect the report from distribution to any other person.

**INDEMNITY**

The client shall indemnify and hold harmless ITSL from and against any costs, damages, expenses, legal fees and disbursements, expert and investigation costs, claims, liabilities, actions, causes of action and any taxes thereon arising from or related to any claim or threatened claim by any party arising from or related to the performance of the Services except those costs, damages, expenses or liabilities attributable to the negligent acts or omissions by ITSL.

**DOCUMENTS**

All of the documents prepared by ITSL or on behalf of ITSL in connection with the Project are instruments of service for the execution of the Project. ITSL retains the property and copyright in these documents, whether the Project is executed or not. These documents may not be used on any other project without the prior written agreement of ITSL.

**FIELD SERVICES**

Where applicable, field services recommended for the Project are the minimum necessary, in the sole discretion of ITSL, to observe whether the work of a contractor retained by the Client is being carried out in general conformity with the intent of the Services.

**DISPUTE RESOLUTION**

If requested in writing by either the Client or ITSL, the Client and ITSL shall attempt to resolve any dispute between them arising out of or in connection with this Agreement by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of thirty (30) calendar days with the mediator, the dispute shall be referred to and finally resolved by an arbitrator appointed by agreement of the parties.

**CONFIRMATION OF PROFESSIONAL LIABILITY INSURANCE**

As required by by-laws of the Association of Professional Engineers and Geoscientists of British Columbia, it is required that our firm advises whether or not Professional Liability Insurance is held. It is also required that a space for you to acknowledge this information be provided.

Our professional liability insurance is not project specific for the project and should not be regarded as such. If you require insurance for your project you should purchase a project specific insurance policy directly.

Accordingly, this notice serves to advise you that ITSL carries professional liability insurance. Please sign and return a copy of this form as an indication of acceptance and agreement to the contractual force of these Terms of Engagement.

ACKNOWLEDGEMENT: \_\_\_\_\_

- 4.5.5 A **secondary building or structure** shall not be used as a **dwelling** unless it is a permitted **secondary suite** in which case the Conditions of Use pertaining to Secondary Suites in Section 5.5 shall apply. *(Bylaw 5851)*
- 4.5.6 A **secondary building or structure** shall not exceed 4.5m or one **storey in height**, whichever is the lesser, unless specified otherwise in the **development** regulations of a particular **zone** or unless it is a **Secondary Suite** in which case Section 5.5 shall apply. *(Bylaw 5851)*
- 4.5.7 **Lot** coverage of **secondary buildings or structures** shall not exceed 14% or a maximum area of 90m<sup>2</sup> for **secondary buildings** in the residential **zones**.
- 4.5.8 There shall be at least 2.0 m spatial separation between a **secondary building** and a primary **building**.
- 4.5.9 **Secondary buildings and structures** shall be located on an **interior lot** as follows:
- a **secondary building** shall not be located closer than 18.0m to the **front lot line** unless it complies with the **side yard** requirements for a primary **building**;
  - a **secondary building** shall be located not less than 1.0m from the **side lot line** or shall be unrestricted where the **secondary building** does not exceed the permitted **fence height**,
  - a **secondary building** housing a **secondary suite** shall have the same **side yard** requirements as for the primary **building** in that **zone**.
  - mechanical equipment shall be located to comply with the **side yard** for the primary **building**.

### **Secondary buildings on Corner and Through Sites**

- 4.5.10 In addition to the provisions of Section 4.5.8, the distance between a **secondary building** and the **side lot line abutting a flanking street**, shall not be less than the **side yard** required for the primary **building**.
- 4.5.11 A **secondary building or structure**, excluding **fences**, on any through **lot** shall be sited as if a **front yard** is required on both **lot lines abutting streets**.

### **Storage Containers**

- 5.4.2 No more than two persons, other than residents of the primary residence, shall be engaged in the **rural home based business**.
- 5.4.3 The **rural home based business** shall not occupy more than 25% of the floor area of the **dwelling** unit or **secondary building** or **structure**, and in no case shall the combined area of the residence used for the **business** and a **secondary building** or **structure** used for the **business** exceed 100m<sup>2</sup>.
- 5.4.4 The display and retail sales of goods not produced on the **premises** shall not be permitted in a **rural home based business**, with the exception of
- products that are associated with the goods produced on the site,
  - agricultural products only in the A1, A2 and A3 Agricultural zones,
  - mail order sales,
  - telephone sales,
  - goods where the customer does not enter the **premises** to inspect or pick up the goods, and
  - products incidental to the service provided,
- subject to Section 5.4.7.
- 5.4.5 A **rural home based businesses** shall not occupy a required **parking space**.
- 5.4.6 A **rural home based business** sign is permitted according to the provisions of the *City of Vernon Sign Bylaw No. 4489*, as amended.
- 5.4.7 The following **uses** are prohibited as **home based businesses**: automotive repair, welding, **care centres**, cutting & wrapping of meat, including wild game, escort services, and gun shops.

## **5.5 Secondary Suites – Conditions of Use**

- 5.5.1 **Secondary suites**, where permitted, are to be located only in **single detached housing** or a **secondary building** on a **lot** containing **single detached housing**. **Secondary suites** are not permitted in or on the same lot as **multiple housing, semi-detached housing, duplexes, bed and breakfast homes, rooming houses or boarding rooms**. (*Bylaw 5851*)
- 5.5.2 No more than one **secondary suite** shall be permitted per **single detached housing** unit. It may be permitted either within **single detached housing** or within a **secondary building**. (*Bylaw 5851*)
- 5.5.3 No **secondary suite** will be allowed without connection to a **community sewer system** unless the **lot** is at least 830m<sup>2</sup> in area and meets the requirements of the **City** and the *Medical Health Officer* for septic disposal capacity and related regulations.

5.5.4 A **secondary suite** must have a minimum of 15m<sup>2</sup> of separated and private **open space** in addition to any **open space** provided for the principle dwelling.

5.5.5 The **net floor area** of any **secondary suite** shall not exceed the lesser of 90m<sup>2</sup> or 45% of the **net floor area** of the **building** containing **single detached housing**.

Where a **secondary suite** is located in a **secondary building** the following shall apply:

Lot Size	450m <sup>2</sup> - 557m <sup>2</sup>		> 557m <sup>2</sup>	
Lot Orientation	No Lane	Lane or Flanking Street	No Lane	Lane or Flanking street
Maximum footprint	The lesser of 80m <sup>2</sup> or 75% of the <b>net floor area</b> the <b>building</b> containing <b>single detached housing</b> .		The lesser 90m <sup>2</sup> or 75% of the <b>net floor area</b> of the <b>building</b> containing <b>single detached housing</b> .	
Maximum floor area	The <b>net floor area</b> of the upper <b>storey</b> can be no more than 75% of the <b>net floor area</b> of the <b>first storey</b> .		The <b>net floor area</b> of the upper <b>storey</b> can be no more than 75% of the <b>net floor area</b> of the <b>first storey</b> .  The <b>net floor area</b> of a second <b>storey</b> of a suite can be 100% of the net floor area of the <b>first storey</b> if the <b>net floor area of the first storey</b> is less than 45m <sup>2</sup> .	
	The <b>net floor area</b> must be the lesser of 90m <sup>2</sup> or 60% of the <b>net floor area</b> of the <b>building</b> containing <b>single detached housing</b> .			
For the purposes of calculating <b>net floor area</b> for <b>secondary suites</b> contained in <b>secondary buildings</b> , notwithstanding the definition of <b>net floor area</b> , attached garages, <b>carports</b> , and <b>basements</b> shall be included in floor area calculations.				

5.5.6 A **secondary building** or structure containing a **secondary suite** shall not exceed the following **height** and **storey** limitations:

Lot Size	450m <sup>2</sup> - 557m <sup>2</sup>		> 557m <sup>2</sup>	
Lot Orientation	No Lane	Lane or Flanking street	No Lane	Lane or Flanking street
Storeys	1.5 maximum		2.0 maximum	
Maximum Height	The lesser of the principal building height and no higher than 4.8 metres to the midpoint of a sloped roof or the highest point of a non-sloping roof.		The lesser of the principle building height and no higher than 6.0m to the midpoint of a sloped roof or the highest point of non-sloping roof.	
For the purpose of calculating height of a <b>secondary suite</b> located in a <b>secondary building</b> , notwithstanding the definition of height, a non-sloping roof will be considered any roof with <u>either</u> a single pitch or a pitch of 4:12 or less.				
No <b>secondary building</b> containing a <b>secondary suite</b> shall have a <b>height</b> more than the principle building, as measured from the <b>building grade</b> of each respective building.				

5.5.7 All dormers on a **secondary building** containing a suite shall be enclosed within and by the roof **structure**.

5.5.8 Parking shall be in conformance with the regulations of the Bylaw.

5.5.9 **Secondary suites** shall comply with all relevant *City Bylaws* and the *B.C. Building Code*.

5.5.10 A **secondary suite** shall be located on the same lot as the primary building. No strata titling shall be permitted.

5.5.11 A **secondary suite** must have direct access to outside from a dedicated exterior entrance. When a **secondary suite** is located within a principle

dwelling, access may be taken from a shared vestibule, which meets the provisions of the BC Building Code. (Bylaw 5851)

5.5.12 The following additional conditions of use shall apply to **secondary suites** which are located in **secondary buildings**:

- i. Roof decks are prohibited.
- ii. A **deck** above the **first storey** must face a **laneway** or **flanking street**. A **deck** above the **first storey** is not permitted in **secondary buildings** with **secondary suites** on **lots** without a **laneway** or **flanking street**.
- iii. A minimum 3.0m spacing with no **structures** is required between a **secondary building** containing a **secondary suite** and any other **building** containing a **dwelling unit** on the lot.
- iv. A **secondary suite** in a **secondary building** must have an at grade enclosed entrance. Exterior stairs accessing a **secondary suite** in a **secondary building** are not permitted. Stairs with a combined rise of 0.6 metres or less are excluded. (Bylaw 5851)

## 5.6 Bed and Breakfast Homes

5.6.1 **Bed and breakfast homes** are only permitted in **single detached housing** or **semi-detached housing** or **duplex housing** and shall comply with the following regulations: (Bylaw 5498)

- the **bed and breakfast home use** shall be operated as a **secondary use** only within the primary **building**, with a maximum 4 sleeping units with accommodation for a maximum of two guests per sleeping unit, of a minimum area of 11m<sup>2</sup> each; and,
- the **bed and breakfast home use** shall not change the residential character or external appearance of the **dwelling** involved.

5.6.2 One sign is permitted according to the provisions of the *City of Vernon Sign Bylaw No. 4489*.

5.6.3 All **bed and breakfast homes** shall comply with the other provisions of this Bylaw, the *BC Building Code*, the *Agricultural Land Commission* regulations where applicable, and other *Fire and Health Regulations*.

5.6.4 The property owner or operator must reside in the primary **dwelling** unit at least 180 days per calendar year.

5.6.5 The **bed and breakfast home use** is not permitted in conjunction with a **rooming house**, **secondary suite** or **boarding rooms**.

2.0 stalls per 3-or-more bedroom **dwelling** unit.

In addition to the above total required spaces for a **development**, 1 additional **parking space** shall be provided and designated visitor parking for every 7 **dwelling** units.

---

<b>Group Home, Minor</b>	1 per primary <b>dwelling</b> , plus 1 space per three rental beds and 1 per non-resident staff member, minimum total of not less than 3
<b>Group Home, Major</b>	1 per employee on duty, plus 1 per 5 <b>dwelling</b> or sleeping units, plus 1 scooter parking space per 5 dwelling or sleeping units
<b>Home Based Business, Rural</b>	1 per non-resident employee and 1 per customer in addition to that required for the primary <b>dwelling</b>
<b>Home Based Business, Minor</b>	1 per customer in addition to that required for the primary <b>dwelling</b>
<b>Home Based Business, Major</b>	1 per non-resident employee and 1 per customer in addition to that required for the primary <b>dwelling</b>
<b>Mobile Homes</b>	2 per <b>dwelling</b> unit, plus 1 space per 7 <b>dwelling</b> units as designated visitor parking
<b>Rooming Houses</b>	1 per 2 sleeping rooms, plus 2 spaces required for the corresponding primary <b>dwelling</b> unit
<b>Second Kitchens</b>	1 per second <b>kitchen</b> , plus spaces required for the corresponding primary <b>dwelling</b> unit
<b>Secondary Suites</b>	1 per suite, plus 2 spaces required for the corresponding primary <b>dwelling</b> unit
<b>Seniors Assisted Living</b>	1 per employee on duty, plus 1 per 5 <b>dwelling</b> or sleeping units, plus 1 per 7 units as designated visitor parking, plus